

**From:** Jon Rust  
**To:** Microsoft ATR  
**Date:** 1/23/02 3:01pm  
**Subject:** Microsoft Settlement

To whom it may concern,

The proposed MS settlement is not nearly enough, and just completely misses some of the very reasons why MS is a monopoly. Here are just a few of my problems with it:

+ MS apparently had a big voice in deciding what definitions be applied to API, Middleware, etc. For example, although MS is touting their '.NET' initiative as a replacement for Java, Java and .NET are classified in completely different categories. How can that be? Outlook Express and Outlook, which are very similar products, are in different categories. Allowing them these leeways will only increase their grip on the market.

+ Entire Windows OS versions have been excluded from the official classification of Windows OS. These OS's that were excluded are so closely related, many applications can run on them and the Official Windows OS's unchanged.

+ Although undocumented file formats formed part of the Applications Barrier to Entry, no where is MS required to make file formats more open.

+ Section III.A.2. allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

There are many other shortcomings in the Settlement that need to be addressed. Please do address them, or this will just be another slap on the wrist to MS, similar to the one in the early 90's (that MS totally ignored).

Thanks,  
Jon Rust  
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